



VIA E-MAIL

August 22, 2019

Beryl Lipton
MuckRock News
DEPT MR 34867
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Somerville, MA 02144-2516

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Re: Freedom of Information Act Request – 17-FOI-00105

This is in response to your March 14, 2017 initial request as well as your May 24, 2017 follow-up request for information made under the Freedom of Information Act (FOIA).

You request sought records regarding:

1. Any available log of appeals submitted to this agency or the agency tasked with processing Freedom of Information Act appeals for this division. Please provide such logs for the period from January 1, 2015 through December 31, 2016. Please, if possible, include with the log the following items:
 - the request number associated with the FOIA in question
 - the appeal number assigned to the appeal
 - the description of the subject matter addressed by the request
 - the division or office of initial receipt
 - the date on which the appeal was received
 - the date on which the appeal was closed\
 - the determination or final disposition status of the appeal.

Response:

Attached is the appeal log for the period from January 1, 2015 through December 31, 2016. We have applied FOIA exemption 6 to protect the names and personal identifying information of private citizens and Amtrak personnel where disclosure of that information would constitute an unwarranted invasion of personal privacy.

2. All appeal letters and opinion letters associated with appeals for which the determination was to reverse, in whole or in part, the decision of the initial request agency. Please provide such letters for appeals closed during the period from January 1, 2015 through December 31, 2016.

Response:

Attached are appeals closed during the period from January 1, 2015 through December 31, 2016. We have applied FOIA exemption 6 to protect the names and personal identifying information of private

citizens and Amtrak personnel where disclosure of that information would constitute an unwarranted invasion of personal privacy.

3. All appeal letters and opinion letters associated with appeals for which the determination was to affirm the decision of the initial agency. Please provide such letters for appeals closed during the period from January 1, 2015 through December 31, 2016.

Response:

Attached is a letter and an opinion affirming the decision closed during the period January 1, 2015 through December 31, 2016. We have applied FOIA exemption 6 to protect the names and personal identifying information of private citizens and Amtrak personnel where disclosure of that information would constitute an unwarranted invasion of personal privacy.

4. Any instructive or guiding materials provided to and/or utilized by employees of this department's Freedom of Information Act office. Please include any manuals, procedural materials, reference guides, checklists, training materials, flow charts, directives, memorandums, legal decisions, presentations, or similar material used in the process of an appeal by this office or the office tasked to process FOIA appeals for this office. Any guiding materials used for the preparation of an appeal package should be considered responsive to, though not the entirety of, this element of this request.

Response:

FOIA staff attended the following training workshops:

- U.S. Department of Justice Administrative Appeals Workshop; and
- Freedom of Information Act for Attorneys and Access Professionals Workshop.

FOIA procedures can be found at <https://www.amtrak.com/about-amtrak/foia.html>. Staff also use training materials found at the U.S. Department of Justice's FOIA website at <https://www.justice.gov/oip/doj-guide-freedom-information-act-0>.

5. The name and contact information for the appropriate appeal authority to whom appeals for this agency should be directed. If such information exists as part of a template letter sent to requesters, provision of this document will be considered satisfactory.

Response:

Pursuant to Amtrak's FOIA regulations (49 CFR 701.10), if you do not agree with Amtrak's response, you may file an appeal with **Eleanor D. Acheson, Executive Vice President, Chief Legal Officer, General Counsel and Corporate Secretary, within ninety days (90) of the date of this letter**, specifying the relevant facts and the basis for your appeal. Your appeal may be mailed to Ms. Acheson's attention: National Railroad Passenger Corporation, Law Department, 1 Massachusetts Avenue, NW, Washington, DC 20001. The President and CEO of Amtrak has delegated authority to the General Counsel and Corporate Secretary for the rules and compliance to the FOIA.

After a thorough search of our records, we found no other records responsive to your request.

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If you have any questions regarding the processing of your request, please feel free to contact me at rebecca.conner@amtrak.com or at (202) 906-3215. For further assistance and to discuss any aspect of your request you may also contact our FOIA Public Liaison at FoiaPublicLiaison@amtrak.com. Additionally, you may contact the Office of Government Information (OGIS), National Archives and Records Administration, Room 2510, 8601 Adelphi Road, College Park, MD 20740-6001, e-mail at ogis@nara.gov, telephone at 202-741-5770; toll free at 1-877-684-6448; or fax 202-741-5769.

Sincerely,

Rebecca Conner
Manager, Records and Information Management